

# Exhibit 1

**From:** [Colangelo, Matthew](#)  
**To:** [Pezzi, Stephen \(CIV\)](#); [Karen Tumlin](#)  
**Cc:** [Khan, Sania](#); [Muneer Ahmad](#); [Wardenski, Joseph](#); [Finkelstein, Alex](#); [Dasgupta, Anisha](#); [batallavidal\\_Iso@mailman.yale.edu](#); [Parker, Joshua](#); [Jessica Young](#); [Mayra Joachin](#); [Araceli Martínez-Olguín](#); [Trudy Rebert](#); [Thorp, Galen \(CIV\)](#); [Westmoreland, Rachael \(CIV\)](#); [Marutollo, Joseph \(USANYE\)](#); [Rosenberg, Brad \(CIV\)](#)  
**Subject:** RE: EDNY DACA - Local Rule 56.1 statement  
**Date:** Monday, November 23, 2020 3:24:27 PM

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Stephen -- thank you for the call and for this message. The NY and BV teams are both happy to discuss a negotiated resolution regarding relief under the APA, but at this point we think it would be most productive to get our motions on file and then discuss once you've had an opportunity to review the relief we're seeking and discuss it with your clients. If you'd like to schedule a time to discuss on Wednesday morning in the interest of resolving the remedial question by stipulation, let us know and we can be available at your convenience. Thanks -- Matthew.

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**From:** Pezzi, Stephen (CIV) <Stephen.Pezzi@usdoj.gov>  
**Sent:** Monday, November 23, 2020 10:16 AM  
**To:** Colangelo, Matthew <Matthew.Colangelo@ag.ny.gov>; Karen Tumlin <karen.tumlin@justiceactioncenter.org>  
**Cc:** Khan, Sania <Sania.Khan@ag.ny.gov>; Muneer Ahmad <muneer.ahmad@ylsclinics.org>; Wardenski, Joseph <Joseph.Wardenski@ag.ny.gov>; Finkelstein, Alex <Alex.Finkelstein@ag.ny.gov>; Dasgupta, Anisha <Anisha.Dasgupta@ag.ny.gov>; batallavidal\_Iso@mailman.yale.edu; Parker, Joshua <Joshua.Parker@ag.ny.gov>; Jessica Young <jessica.young@maketheroadny.org>; Mayra Joachin <Joachin@nilc.org>; Araceli Martínez-Olguín <martinez-olguin@nilc.org>; Trudy Rebert <rebert@nilc.org>; Thorp, Galen (CIV) <Galen.Thorp@usdoj.gov>; Westmoreland, Rachael (CIV) <Rachael.Westmoreland@usdoj.gov>; Marutollo, Joseph (USANYE) <Joseph.Marutollo@usdoj.gov>; Rosenberg, Brad (CIV) <Brad.Rosenberg@usdoj.gov>  
**Subject:** RE: EDNY DACA - Local Rule 56.1 statement

Matthew,

Per our call, Defendants do not oppose that request for relief. As we also discussed, let me know if you think it would be worth having a broader conversation about the scope of relief that Plaintiffs intend to request.

Thanks,

**Stephen M. Pezzi**  
Trial Attorney  
United States Department of Justice  
Civil Division - Federal Programs Branch  
1100 L Street NW  
Washington, DC 20005  
(202) 305-8576 | [stephen.pezzi@usdoj.gov](mailto:stephen.pezzi@usdoj.gov)

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**From:** Colangelo, Matthew <Matthew.Colangelo@ag.ny.gov>  
**Sent:** Sunday, November 22, 2020 7:42 PM  
**To:** Pezzi, Stephen (CIV) <spezzi@CIV.USDOJ.GOV>; Karen Tumlin

<karen.tumlin@justiceactioncenter.org>

**Cc:** Khan, Sania <Sania.Khan@ag.ny.gov>; Muneer Ahmad <muneer.ahmad@ylsclinics.org>; Wardenski, Joseph <Joseph.Wardenski@ag.ny.gov>; Finkelstein, Alex <Alex.Finkelstein@ag.ny.gov>; Dasgupta, Anisha <Anisha.Dasgupta@ag.ny.gov>; batallavidal\_Iso@mailman.yale.edu; Parker, Joshua <Joshua.Parker@ag.ny.gov>; Jessica Young <jessica.young@maketheroadny.org>; Mayra Joachin <Joachin@nilc.org>; Araceli Martínez-Olguín <martinez-olguin@nilc.org>; Trudy Rebert <rebert@nilc.org>; Thorp, Galen (CIV) <GThorp@civ.usdoj.gov>; Westmoreland, Rachael (CIV) <rwestmor@CIV.USDOJ.GOV>; Marutollo, Joseph (USANYE) <JMarutollo@usa.doj.gov>; Rosenberg, Brad (CIV) <BRosenbe@civ.usdoj.gov>

**Subject:** EDNY DACA - Local Rule 56.1 statement

Counsel – the plaintiffs intend to file a joint request with Judge Garaufis tomorrow morning seeking leave to forgo the Local Civil Rule 56.1 statement in connection with our forthcoming motion for partial summary judgment, given that we are proceeding on the APA claim only. Please let us know if we may state that Defendants do not oppose this request. Thanks – Matthew

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**From:** Pezzi, Stephen (CIV) <[Stephen.Pezzi@usdoj.gov](mailto:Stephen.Pezzi@usdoj.gov)>

**Sent:** Sunday, November 15, 2020 5:22 PM

**To:** Karen Tumlin <[karen.tumlin@justiceactioncenter.org](mailto:karen.tumlin@justiceactioncenter.org)>

**Cc:** Khan, Sania <[Sania.Khan@ag.ny.gov](mailto:Sania.Khan@ag.ny.gov)>; Colangelo, Matthew <[Matthew.Colangelo@ag.ny.gov](mailto:Matthew.Colangelo@ag.ny.gov)>; Muneer Ahmad <[muneer.ahmad@ylsclinics.org](mailto:muneer.ahmad@ylsclinics.org)>; Wardenski, Joseph <[Joseph.Wardenski@ag.ny.gov](mailto:Joseph.Wardenski@ag.ny.gov)>; Finkelstein, Alex <[Alex.Finkelstein@ag.ny.gov](mailto:Alex.Finkelstein@ag.ny.gov)>; Dasgupta, Anisha <[Anisha.Dasgupta@ag.ny.gov](mailto:Anisha.Dasgupta@ag.ny.gov)>; [batallavidal\\_Iso@mailman.yale.edu](mailto:batallavidal_Iso@mailman.yale.edu); Parker, Joshua <[Joshua.Parker@ag.ny.gov](mailto:Joshua.Parker@ag.ny.gov)>; Jessica Young <[jessica.young@maketheroadny.org](mailto:jessica.young@maketheroadny.org)>; Mayra Joachin <[Joachin@nilc.org](mailto:Joachin@nilc.org)>; Araceli Martínez-Olguín <[martinez-olguin@nilc.org](mailto:martinez-olguin@nilc.org)>; Trudy Rebert <[rebert@nilc.org](mailto:rebert@nilc.org)>; Thorp, Galen (CIV) <[Galen.Thorp@usdoj.gov](mailto:Galen.Thorp@usdoj.gov)>; Westmoreland, Rachael (CIV) <[Rachael.Westmoreland@usdoj.gov](mailto:Rachael.Westmoreland@usdoj.gov)>; Marutollo, Joseph (USANYE) <[Joseph.Marutollo@usdoj.gov](mailto:Joseph.Marutollo@usdoj.gov)>; Rosenberg, Brad (CIV) <[Brad.Rosenberg@usdoj.gov](mailto:Brad.Rosenberg@usdoj.gov)>

**Subject:** RE: EDNY DACA-Conference with the Court

[EXTERNAL]

Karen,

Just to clarify, both the *Batalla Vidal* Plaintiffs and the *State of New York* Plaintiffs are signed off on that version, correct? If you (or Ms. Khan or Mr. Colangelo) could please confirm as much, I will send to Mr. Reccoppo, copying you.

Thanks,

**Stephen M. Pezzi**

Trial Attorney

United States Department of Justice

Civil Division - Federal Programs Branch

1100 L Street NW

Washington, DC 20005